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OFFICE OF PETITIONS

In re Application of
Benneker et al
Application No. 09/200,743
Filed: November 30, 1998
Attorney Docket No. 116.065

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: DECISION ON PETITION
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This is a decision on the renewed petition filed September 18, 2007, requesting under 37 CFR 1.182 that the acceptance of the terminal disclaimer filed January 30, 2001 be withdrawn.

The petition is **GRANTED**.

Petitioners assert that, as the claims for which the aforementioned terminal disclaimer was originally proffered have now been cancelled to remove the basis for the previous obviousness-type double patenting rejection, there is no further need for the disclaimer to remain recorded against this application. The undersigned has consulted with the examiner in charge of this application, and has found that the examiner concurs with petitioners' assertion. Specifically, the petitioner has cancelled claim 32. Accordingly, the terminal disclaimer is withdrawn. USPTO records for the above-identified application have been changed consistent with this decision.

Telephone inquiries related to this decision should be addressed to Thurman K. Page at (571) - 272-0602.

This application has been forwarded to TC1600 for further processing.


David Bucci
Petitions Examiner
Office of Petitions